IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO.1391 OF 2004

Shri Prabhakar Tulshiram Patil. .. Petitioner

Vs.

Shri Subhash Kuber, Sr.PI.& Ors. .. Respondents

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Shri Rahul S. Thakur for the Petitioner.

Shri V.A.Sugdare for Respondent No.1.

Shri D.S.Mhaispurkar, APP for Respondent-State.

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CORAM : R.M.S.KHANDEPARKAR &
P.V.KAKADE, JJ.

DATED : 10th February, 2005.

1. The learned Advocate appearing for the petitioner states that he had sent a registered letter to the petitioner and also had a telephonic conversation with him asking him to furnish the necessary materials as regards the alleged injuries suffered by him on account of the alleged assault by the police personnel. The learned Advocate further states that the petitioner has not furnished any material in that regard till today.

2. Upon hearing the learned Advocate for the

petitioner and on perusal of the impugned order, it is seen that apart from making wild allegation of assault and injuries, there is no material on record in support of the said allegation. A typed copy of the certificate alleged to have been issued by Dr.Ashok M.Ghodke and Dr.Babita A.Ghodke has been filed along with the petition, which is at page 9 of the petition. The certificate does not bear the signature of any doctor nor it discloses that really such a certificate was issued by any of those doctors. No credence can be given to such a typed copy which does not bear the signature of the doctor. That apart, even typed copy of the certificate does not disclose the exact nature of the injuries. In the absence of any material in support of the allegation of assault and injuries, there is no case made out for interference in the matter. The petition is therefore rejected.

(R.M.S.Khandeparkar, J)

(P.V.Kakade, J)